

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT**

IN THE MATTER OF:

KEVIN DAVIE,

DEBTOR.

CHAPTER 13

CASE NO. 05-63541-MBM

JUDGE MARCI B. MCIVOR

ORDER DISMISSING CASE
FOR FAILURE TO MAKE PAYMENTS UNDER CHAPTER 13 PLAN

This matter having come on to be heard upon the Trustee's Motion to Dismiss For Failure to Make Payments filed pursuant to E.D. Mich. LBR 9014-1, notice having been duly given and an opportunity for hearing having been provided, and based upon the records of the Court herein, the dismissal of the case is warranted for failure to make payments and the Court being otherwise sufficiently advised in the premises;

IT IS HEREBY ORDERED that the Chapter 13 case of the debtor herein be and the same hereby is dismissed for the failure to make payments required by the Chapter 13 Plan.

IT IS FURTHER ORDERED that the Clerk of the Court shall immediately provide notice of the entry of this Order to all creditors listed in this case, the debtor, the debtor's attorney, if any, and the Trustee.

IT IS FURTHER ORDERED that DAVID WM. RUSKIN, Trustee is discharged as Trustee, and the Trustee and his surety are released from any and all liability on account of the within proceedings.

Signed on November 04, 2009

_____/s/ Marci B. McIvor_____
Marci B. McIvor
United States Bankruptcy Judge